

Appl. No.: 09/812,068
Amdt. dated: February 5, 2004
Reply to Office Action of November 5, 2003

Patent
Docket No.: 262/043

REMARKS

Claims 2, 7, 13 and 18 have received objections. Claims 2 through 23 stand rejected under 35 U.S.C. 103 based on U.S. Patent Number 6,175,948 issued to Miller et al. ("Miller") in view of "ADPCM Codec" by Dawid et al. ("Dawid"). Claims 2, 7, 13, and 18 have been amended.

Claim 2 has received an objection.

Claim 2 as amended recites "performing front-end acceptance testing on the original circuit design, wherein front-end acceptance testing comprises collecting data on a designer's available experiences and acceptable degree of risk." The examiner failed to give patentable weight to this claimed element based on the presumption that the "specification at page 19, lines 9-11, states that front-end acceptance only 'collects the designer's available experiences....'" This is an erroneous and incomplete reading of the application. The error is the presumption that "front-end acceptance only 'collects the designer's available experiences.'" The specification does not say this, and there is no basis for reading the word "only" into the specification at page 19, lines 9 through 11. Furthermore, a complete reading of the application as filed shows that the elements of claim 2 are supported by the application as filed.

An example of support for "performing front-end acceptance testing on the original circuit design, wherein front-end acceptance testing comprises collecting data on a designer's available experiences and acceptable degree of risk" as recited in claim 2 as amended can be found in the application on page 19 which states:

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The process of front-end acceptance design stage 102 then provides an assessment to help the designer decide whether to accept the design project based on the design property parameters, including the customer's requirements, the designer's available experience, and the designer's acceptable degree of risk.

Additional examples of support for "performing front-end acceptance testing on the original circuit design, wherein front-end acceptance testing comprises collecting data on a designer's available experiences and acceptable degree of risk" as recited in claim 2 as amended can be found in the application as shown in Figure 20 and as described on pages 27 through 30, which state in part:

The front-end acceptance (FEA) design stage 102 in FIG. 1 involves feasibility and risk assessment of a proposed design. A design is feasible if the assessed criteria are within allowable risk tolerance.

In a sense, the FEA is a process of design refinement to a point at which the system integrator can assume the risk of accepting a proposed design.... As a starting point, the FEA process receives a set of design requirements delivered by a customer, the integrator's risk profile for accepting a design, a set of pre-designed blocks, and the integrator's previous knowledge of and experience with the pre-designed blocks.

Therefore, because the claimed element "performing front-end acceptance testing on the original circuit design, wherein front-end acceptance testing comprises collecting data on a designer's available experiences and acceptable degree of risk" is supported by the application as filed, this element should be given patentable weight.

Claim 2 as amended stands rejected under 35 U.S.C. 103 based on Miller in view of Dawid.

Claim 2 as amended recites "performing front-end acceptance testing on the original circuit design, wherein front-end acceptance testing comprises collecting data on a designer's available experiences and acceptable degree of risk."

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The examiner writes that

Although Miller also discloses consideration of risk reduction at col. 5, ll. 27-30, this citation is not considered here because Applicants claims improperly reference the limitation regarding risk (i.e. "collecting data on acceptable degree of risk").

(Office action of 11/05/2003, page 7). This section of Miller discloses:

improving the design, development and maintenance cycle time and reducing risk for hardware and software through creation, evaluation and reuse of standard modules with well defined interfaces using component repository and internal structure

(Column 5, lines 27-31). This section of Miller does not disclose "performing front-end acceptance testing on the original circuit design, wherein front-end acceptance testing comprises collecting data on a designer's available experiences and acceptable degree of risk" as recited in claim 2 as amended. The other sections of Miller cited by the examiner also do not disclose "performing front-end acceptance testing on the original circuit design, wherein front-end acceptance testing comprises collecting data on a designer's available experiences and acceptable degree of risk" as recited in claim 2 as amended.

Dawid discloses a system design flow to implement an ADPCM (adaptive differential pulse code modulation) codec module. Dawid does not disclose "performing front-end acceptance testing on the original circuit design, wherein front-end acceptance testing comprises collecting data on a designer's available experiences and acceptable degree of risk" as recited in claim 2 as amended.

Even if Miller and Dawid were combined, the combination would neither teach nor suggest "performing front-end acceptance testing on the original circuit design, wherein front-end acceptance testing comprises collecting data on a designer's available experiences and

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acceptable degree of risk" as recited in claim 2 as amended.

Therefore, applicants submit that claim 2 as amended is patentable over Miller in view of Dawid. Given that claims 3-12 depend from claim 2 as amended, applicants submit that these claims are also patentable over Miller in view of Dawid.

Miller and Dawid, alone or in combination, neither disclose nor suggest "performing front-end acceptance testing on the original circuit design, wherein front-end acceptance testing comprises collecting data on a designer's available experiences and acceptable degree of risk" as recited in claim 13 as amended. Therefore, applicants submit that claim 13 as amended is patentable over Miller in view of Dawid. Given that claims 14-23 depend from claim 13 as amended, applicants submit that these claims are also patentable over Miller in view of Dawid.

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CONCLUSION

Allowance of the claims is respectfully requested. The Examiner may call the Assignee's attorney at (650) 849-4422 to further advance prosecution of this case to issuance.

If the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. 50-2518, billing reference no. CA7010584001.

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Respectfully submitted,

By: 

Jeffrey S. Smith

Registration No. 39,377

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4422
Telefax: (650) 849-4800